



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/781,554 | 02/13/2001 | Aditya N. Chatterjee | 05193.00003 | 2288 |

22907 7590 08/06/2004

BANNER & WITCOFF
1001 G STREET N W
SUITE 1100
WASHINGTON, DC 20001

EXAMINER

MARCELO, MELVIN C

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

2663

DATE MAILED: 08/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/781,554

Applicant(s)

CHATTERJEE ET AL.

Examiner

Melvin Marcelo

Art Unit

2663

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 February 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-96 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-17, 23-38, 40-47, 53-67, 71 and 87-96 is/are allowed.
- 6) ☒ Claim(s) 18-22, 39, 48-52, 68-70 and 72-86 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 4-6-9.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 18-22, 39, 48-52, 68-70 and 72-86 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 18, line 4, it is not clear whether --in-- should be inserted after "contained."

Claim 22, lines 1-2, "the at least one identified object" lacks a proper antecedent basis to claim 17. It is not clear whether the claim should depend on claim 18 instead of 17.

Method claim 39 lacks a proper antecedent basis to system claim 21. It is not clear whether it should depend on claim 31 instead of 21.

Claim 48, line 6, it is not clear whether --in-- should be inserted after "contained."

Claim 52, lines 1-2, "the at least one identified object" lacks a proper antecedent basis to claim 47. See claim 48.

Claim 68, line 2, it is not clear whether "client multicast cache" should be --client content cache--.

Claim 72, line 2, it is not clear whether "client multicast cache" should be --client content cache--.

Claim 77, line 10, "the received selected page" lacks a proper antecedent basis since there is no recited step of receiving the selected page.

Claim 77, line 15, "the client application" is ambiguous since it is not clear whether it is referring to "a client application" in line 2 or one of the client applications in "a plurality of client applications" in line 11.

Claim 78, line 2, "the client application" is ambiguous for the above reasons.

Claim 79, line 2, "the client application" is ambiguous for the above reasons.

Claim 83, line 2, "the client application" is ambiguous for the above reasons.

Allowable Subject Matter

3. Claims 1-17, 23-38, 40-47, 53-67, 71, and 87-96 are allowed.
4. Claims 18-22, 39, 48-52, 68-70 and 72-86 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action.
5. The following is a statement of reasons for the indication of allowable subject matter: the prior art of record fails to anticipate or make obvious the additional feature of when the cache forms at least a portion of the data page, the cache sending a request to the host station through a satellite system for information forming the selected data page that is not stored in the cache; and also, the features associated with multicasting selected pages to a plurality of client applications.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Chatterjee et al. (US 2003/0112772 A1) is a cip of the current application. Border et al. (US 2002/0055966 A1), Marks et al. (US 2002/0007374 A1),

Art Unit: 2663

and Thacker et al. (US 6427172 B1) teach caching systems for retrieving data through satellites or a multicasting system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melvin Marcelo whose telephone number is 703-305-4373. The examiner can normally be reached on Mon-Fri 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau Nguyen can be reached on 703-308-5340. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Melvin Marcelo
Primary Examiner
Art Unit 2663

July 30, 2004